at the same time oppose a government owned oil company.

However much admiration exists for what business produces and for the system by which it produces it, a large proportion of the public does think business needs watching, to make sure it operates in reasonable degree in the public interest. Asked which groups in the nation have too much power, big business was named by more than any other. And people look, for that surveillance, primarily to government. Of course, they don't trust government fully, either. In fact, when asked which movements are likely to be threats to our society in the next 20 or 30 years, those causing most concern, after Communism, are big business and big government, both named by 44%. So Americans put their faith in checks and balances. With one powerful institution watching the other, and perhaps with public representatives watching both, they feel it is more likely that the public interest will be served.

Sometimes I am asked what I think are the underlying causes of unfriendly public feelings toward business, and I think there are a number of possible answers. One, which I have discussed, is the tendency of a mood of distrust and suspicion to spread beyond the original source. We once found, for example, that when people found their car seats uncomfortable they tended to downgrade the gas mileage that car gave. People who were negative about their dealer repair service also tended to be negative about their car's headroom. All kinds of unrelated factors tended to get related somehow when people rated their cars. One bad apple tended to make those around it seem a little bit rotten, too.

I think something like that has happened lately in regard to American institutions, including business. Watergate, I suspect, hurt not only government, but business as well. So did inflation. Something isn't working right, something is wrong somewhere, and someone must be to blame. While I don't see an excessive emphasis on looking for that someone to blame, it is clearly easier for people to pinpoint rascals than to grasp economic complexities, and a sizeable segment of the public is doing just that. So some of the problem is the rub off effect, and some of it is the satisfaction of finding a target for one's frustration.

I think there is another factor that has a negative effect on the standing of business—and other institutions. I have become convinced that the major underlying cause of the malaise that affects present-day society is the increasing size, complexity, and impersonality of that society. The fact that people would like to live in smaller communities than they do is, I think, one evidence of this. The fact that if people had to live in another country they would opt for the wide open spaces of Canada and Australia, not Germany or England or France is another indication. The fact that people think well of their TV repairman, but badly of TV repairmen as a group is another evidence. The fact that people think well of individual Senators—for example, Sam Ervin or Howard Baker—but think badly of "politicians" as a group is another evidence. It is quite easy to be critical of "them" whom you don't really know or understand. It is much more difficult to be critical of "him."

These are the public's priorities today. Consistent with its desire to focus on domestic problems, its at least partial withdrawal from global involvement, the public is judging spending projects by what's clearly in it for them. They don't want the Pentagon beat into plough shares, but they are less interested in national prestige and global reach than getting the nation back on track, in running order. This is basically the climate of opinion among Americans today.

WARREN COMMISSION FINDINGS

HON. THOMAS N. DOWNING

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. DOWNING of Virginia. Mr. Speaker, today I am reintroducing my resolution which calls for the creation of a select commitee to conduct a full and complete investigation and study of the circumstances surrounding the death of John F. Kennedy. Joining me today are my esteemed colleagues, Mr. BADILLO, Mr. CARR, Mr. DODD, Mr. DON EDWARDS, Mr. MAGUIRE, Mr. MOFFETT, and Mr. SCHULZE. These bring the total number of sponsors of the resolution to 30.

I continue to be amazed over the information concerning the assassination and its investigation that keeps coming to light regularly, it seems. There is a startling revelation almost every day. Most recently I was greatly surprised to read a letter to the Warren Commission signed by the late J. Edgar Hoover which acknowledged that the FBI had contacted Jack Ruby in 1959 as a potential informer and had maintained regular contact with him for 9 months. This fact was obviously known by the Warren Commission but was omitted in a lengthy biographical section published on Ruby in the report of the Commission.

It is my hope that when we return in September that more Members will join in support of efforts to determine the truth about the assassination of our late President so that the people of the country might know.

Throughout my association with this effort I have been highly pleased at the great interest which is being shown by numbers of young citizens of this country particularly those on college campuses across the Nation. I was most impressed by the efforts of students at the University of Virginia who have prepared a legal-type brief presenting some of the arguments which show the need for reopening the investigation. I am pleased to include an edited copy of their work in the RECORD. I feel that it is most interesting reading:

A BRIEF FOR REOPENING THE INVESTIGATION INTO THE ASSASSINATION OF PRESIDENT JOHN F. KENNEDY

By the following students at the University of Virginia: Mark Allen ('75), Sally Boucher (Coll. 4), Jay Buckley (Coll. 3), Kevin Farrell (Coll. 2), Mike Holm ('75), Andy Purdy (Law 3), Typist: Celie Hicks (Mary Baldwin '74).

Date of first draft: April 14, 1975: Draft was reviewed by the following: Sylvia Meagher, Josiah Thompson, Bernard Fensterwald, Jr.

Date of revision: June 27, 1975.

The contents and accuracy of this brief remain the sole responsibility of the students.

WASHINGTON, D.C.,
June 27, 1975.

PREFACTORY NOTE

This document is intended to point out some of the arguments in favor or reopening the investigation into the assassination of President John F. Kennedy. We have framed the arguments in "brief" form to overcome the threshold barrier to consideration of the issues by Members of Congress and the news media posed by the great volume of conflicting writings and evidence.

We believe that an appropriate committee of Congress should hear the evidence which calls into question the findings of the Warren Commission.

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A. It is a widely accepted misconception that Lee Harvey Oswald was an expert rifleman, and that the shots from the Depository window were "easy".

IV. The autopsy of President Kennedy raises doubts as to the Warren Commission findings.

THE WARREN COMMISSION FINDINGS

The Warren Commission concluded that Lee Harvey Oswald fired three shots, two of which killed President Kennedy and wounded Governor Connally,[1] and a third which missed the limousine entirely. The Commission also concluded that these shots were fired from the sixth floor of the Texas School Book Depository.[2] The shots came from behind,[3] the President first struck by a bullet in the back of the neck, and secondly by a bullet which entered the right rear portion of his head.[4] Governor Connally was struck by a bullet which entered the right side of his back and existed under his right nipple, then to pass through his right wrist and enter his left thigh.[5]

The Commission concluded that the shots were fired from the Texas School Book Depository because:

a) a witness reported seeing a gun fired from the sixth floor window of that building; [6]

b) a bullet found on a stretcher [it not being clear whether it was President Kennedy's stretcher or Governor Connally's] in Parkland Hospital, and bullet fragments found in the Presidential limousine were fired from the rifle found on the sixth floor of the Depository building "to the exclusion of all other weapons." Used cartridge cases also found on the sixth floor were identified as having been fired in the same rifle; [7]

c) the windshield of the limousine was struck on the inside by a bullet fragment; [8]

d) the autopsy report and examinations of Governor Connally's wounds by doctors and wound ballistic experts indicated that the bullets were fired from above and behind.[9]

FOOTNOTES

[1] *The Official Warren Commission Report on the Assassination of President John F. Kennedy* (Doubleday & Company, Inc., Garden City, N.J.: 1964), at 19.

[2] *Ibid.*, at 18.

[3] *Ibid.*

[4] *Ibid.*, at 19. See also 86–90.

[5] *Ibid.*, at 19. See also 92–93.

[6] *Ibid.*, at 18. See also 143–149.

[7] *Ibid.*, at 18.

[8] *Ibid.*

[9] *Ibid.*, at 18. See also 87–96.

ARGUMENT I. SINGLE BULLET THEORY

I. The implausibility of the single bullet theory calls into question the essential findings of the Warren Commission.

The widely discussed "single bullet" theory is essential to the finding that Lee Harvey Oswald acted alone.[1] The Warren Commission said: "Although it is not necessary to any essential findings of the Commission to determine just which shot hit Governor Connally, there is very persuasive evidence from the experts to indicate that the same bullet which pierced the President's throat also caused Governor Connally's wounds. However, Governor Connally's testimony and certain other factors have given rise to some difference of opinion as to this probability but there is no question in the minds of any member of the Commission that all the shots which caused the President's and Governor Connally's wounds were fired from the sixth floor window of the Texas School Book Depository." [2]

A. The single bullet theory is essential to the Warren Commission's finding that Lee Harvey Oswald acted alone.

The back/neck wound in President Kennedy and the wounds in Governor Connally, whether from the same or different bullets, occurred between frames 210 to 240 as shown by the Zapruder film.[3] This represents a time span, based on the 18.3 frames/second running speed of Zapruder's camera, of just over 1.6 seconds. The minimum firing time without aiming of Oswald's 6.5 millimeter Mannlicher-Carcano rifle was 2.3 seconds,[4] precluding the possibility of separate shots from the same gun inflicting these wounds in the men. Hence, either a single bullet from Oswald's gun did all of the damage to both men or they were hit by at least two separate bullets from at least two separate guns, which means there was a conspiracy. The only way the Warren Commission found to avoid the presence of a second gun was to have the President and Governor Connally hit by the same "magic" bullet.

B. A study of the evidence shows that it is highly improbable that President Kennedy and Governor Connally were struck by the same bullet.

1. The Zapruder film strongly indicates that the President and Governor Connally were struck by separate bullets.

The Warren Commission said that the wound in President Kennedy's neck was incurred between Zapruder frames 210 to 225.[5] It appears in frame 230 that the President has been shot and Governor Connally is still unharmed, holding his hat in his as yet uninjured right hand in a position higher than when it was struck.[6]

Governor Connally, his wife, and his doctors [7] believe he was hit by a separate, second shot. About the single bullet theory, Mr. Connally has said: "They talk about the 'one bullet' theory, but as far as I'm concerned, there is no 'theory'. There is my absolute knowledge, and Nellie's too, that one bullet caused the President's first wound, and that an entirely separate shot struck me." [8]

An analysis of the angle subtended by the line drawn along the shoulder and the line along the car indicate that Governor Connally was struck between Zapruder frames 237 and 238.[9] Other involuntary responses indicating this as the location of the hit on Governor Connally include the puffing of his cheeks and the disarranging of his hair.[10]

2. Governor Connally's doctors believe the bullet which wounded him did not first pass through the President.

"Dr. Gregory indicated that both he and Dr. Shaw thought it highly unlikely that the President and the Governor had been hit by the same bullet." [11] The doctors were influenced by the character of the wound being very small and having clean-cut edges [12] and the fact that there were no cloth fibers in the back wound (as opposed to their presence in his wrist).

3. Government reports support this evidence of separate bullets.

Preliminary Special Dallas Report No. 1, "Assassination of the President," prepared by the Secret Service said that the President was shot and "Immediately thereafter Governor Connally . . . was shot." [13] The FBI, in its five-volume report presented to the Warren Commission on Dec. 9, 1963, contained similar conclusions.[14]

4. The vertical and horizontal trajectories necessary for a single bullet to have wounded both men from the Depository window at a downward trajectory of 17 degrees are not established by the evidence.

An examination of the photograph contained in the Commission's final report demonstrating the bullet path of the single bullet theory shows a trajectory originating from the left (rather than the right) rear and in a vertical angle less than 17 degrees. Furthermore, such a bullet would be exiting from below the President's throat.[14] When examining the trajectories of the wounds and the bullet flight paths according to the Commission's report, discrepancies arise.

"According to the Commission theory, a bullet entered the upper right side of the President's back and emerged at the midline of the anterior throat, grazing the left side of the knot of the President's tie as it emerged." [15] The bullet was then supposed to have entered the upper right side of Governor Connally's back, exiting below the right nipple of his chest, and then crushing his wrist and lodging in his knee. In view of the relative positions of President Kennedy, Governor Connally, and Oswald's widow, the "magic bullet would have to have made two radical turns of 90° between exiting President Kennedy's throat and entering Governor Connally's back. The Warren Commission does not attempt to answer how this feat was accomplished.

In evidence obtained from an examination of the President's brain, an explanation of the smaller throat wound is made. It is believed to have been an exit wound for a piece of bone that was caused by the second head shot. This is consistent with the damage to the President's throat and also the fact that no traces of metal were found on the President's shirt or tie.[16] From the recently declassified transcript of the Jan. 27, 1964 Commission executive session, the Commission believed a bone fragment had caused the Kennedy neck wound. If this is true, then the single bullet theory has not credibility because there is no other bullet exit in the front of the President.

The condition of exhibit 399, the pristine bullet believed by the Commission to have caused the non-fatal wounds to President Kennedy and Governor Connally is inconsistent with tests of like bullets in similar circumstances.[17]

The bullet which supposedly went through both the President and the Governor, shattering two bones in the process shows no deformity in the upper ⅔ of its length. There is only a small loss of lead at the base of the bullet but the copper jacket remains intact.[18] More lead was deposited in Governor Connally's wrist than is missing from exhibit 399. This alone makes the Commission's central thesis completely impossible.

If it is accepted (as the Warren Commission did) that the bullet which entered Kennedy's back, exited from his throat and then entered Connally's back, the angles of the trajectories need to be examined. Cyril Wecht, County Coroner of Allegheny County has done so and concludes:

It should also be pointed out that the indicated pathways of these wounds are in considerable disagreement with the calculated trajectories from the postulated firing position of the assassin. The supposed assassin's site looked down on the car at an angle which varied from 22 to 20 degrees in the verticle plane and from 12 to about 8 degrees (right to left) in the horizontal plane, during the time interval over which these wounds might have been inflicted. The slope of the street, about 3 degrees, might perhaps be deducted from the vertical angle if we assume that the men's seating posture was determined by the slope of the car rather than their own sense of balance. (The Warren Commission made this correction although it is open to some question.) However, the vertical angle through the President's back/neck wound measures only about 11½ degrees, while that through the Governor's chest is larger, namely about 25 degrees. The indicated lateral angles (right to left in the horizontal plane) are about the same for both men, namely about 20 degrees. While these angular measurements are subject to error of a few degrees either way, the discrepancies seem too large to explain away in this fashion.

The original autopsy fact sheet places the President's neck wound in his back at a position *below* the neck wound in the front. Though said later to have been an incorrectly low, rough estimation of the wound, it does line up with the holes in the President's coat and shirt.[21] The explanation that the President's coast and shirt were "bunched up" in the back, thus accounting for the low clothing holes in light of a high wound, can be disproven by studying the Willis slide No. 5.[22]

5. The character of the wound in the front of the President's neck indicates that a bullet did not exit there as postulated by the single bullet theory.

The bullet wound in the President's throat, described later as viewed prior to the tracheotomy incision, was "very small . . . 3 to 5 mm." [23] Dr. Cyril Wecht has said that he finds a wound of that size ". . . very, very hard to buy as an exit wound for a bullet which would have entered the back." [24]

An experiment done for the Warren Commission by Dr. Alfred G. Olivier of the Army's Edgewood Arsenal was done to simulate the wound through the President's neck. Three 6.5 millimeter bullets were fired through 14 centimeters of goat meat held between goat skins and shirt and jacket cloth.[25] The bullet entry wounds are the same size as the wound in the President's back, but the smallest exit holes was 10 mm, compared to the 3–5 mm. throat wound [26] in President Kennedy.

6. The neutron activation analysis done on the bullet fragments found in Connally's wrist could not identify them with the bullet said to have wounded the President.

J. Edgar Hoover's letter of July 8, 1964 to the Warren Commission reports the results of the neutron activation analysis—that the metal fragments from Connally's wrist could not be identified as having come from the bullet which wounded the President.[27] The extensive studying of the (as yet unreleased) raw data could determine whether these test results prove the single bullet theory incorrect.

FOOTNOTES

[1] (Critics of Commission).

[2] *Warren Report* at 19.

[3] Interview with Josiah Thompson with *Life* Zapruder prints, Haverford, Pennsylvania, April 1, 1975.

[4] (5 H 153–154); (3 H 407) (Frazier).

[5] *Warren*, at 114.

[6] See Zapruder frame 230. See also Thompson, *Six Seconds in Dallas* (Bernard Geiss Associates, New York: 1967), at 68.

[7] (4 H 114).

[8] Thompson, *Life* interview with Governor and Mrs. Connally, October 30, 1966.

[9] Thompson, *Six Seconds in Dallas*, at 75.

[10] Interview with Thompson on April 1, 1975 re: his November 2, 1966 interview with Dr. Gregory.

[11] Thompson, *Six Seconds in Dallas*, at 77.

[12] (4 H 104).

[13] Archives CD 87, dated November 28, 1963.

[24] Archives CD 11.
[25] (5 H 160; 18 H 89–90).
[26] Warren, photo No. 12 after page 426.
[27] Cyril H. Wecht and Robert P. Smith, "The Medical Evidence in the Assassination of President John Kennedy", *Forensic Science* 3 (1974), at 124.
[28] Thompson, *Six Seconds in Dallas*, at 54–55.
[29] *Ibid.*, at 146–154.
[30] Wecht and Smith, at 124.
[31] (5 H 59–60).
[32] Thompson, *Six Seconds in Dallas*, at 223.
[33] (17 H 29).
[34] See *Six Seconds;* Thompson interview with Wecht, May 26, 1967.
[35] (5 H 77–78).
[36] See Commission Exhibit 850.
[37] Interview with Thompson, April 1, 1975.

ARGUMENT II. DOUBLE HEAD SHOT

II. There are indications that two shots struck the President's head from different directions.

A. There are indications that the President's head was hit by two shots in rapid succession, one from the front and the other from the rear.

1. The motion of the President's head tends to indicate that there were two shots.

Between frames 312–313 of the Zapruder film the President's head is seen to move forward under an acceleration of 69.6 feet per second.[1] Beginning at frame 313 the head moves violently backward and to the left until it bounces off the back seat at frame 321. Its acceleration backward is 100.3 feet per second.[2]

This motion is extremely rapid and analysis of the film show that it was not caused by acceleration of the car, as the car's velocity can be determined as constant over this time period. Secret Service agent Clint Hill testified that he was thrown off balance by the acceleration of the car, yet he did not reach the car until frame 368 which is 3 seconds after the head shots.

It is very difficult to explain this motion as a neuromuscular reaction. As seen on the Zapruder film, the President's body is limp, showing none of the signs of a neuromuscular spasm. Furthermore, the change in the direction of Kennedy's head observed in the film occurs in 56 milliseconds; too fast for a neurospasm.

In a neuromuscular reaction the head should keep accelerating—in this case after a sharp initial acceleration, the velocity remained constant. Also, since the motor strip (pre-central gyrus) was blown out by the entering bullet, the likelihood of any muscular reaction is considerably diminished.[3] The Warren Commission chose to disregard this backward head motion.

2. The location of brain matter after the shots supports the double shot theory.

Governor and Mrs. Connally were covered with brain matter which would support a shot from the rear. However, a large amount of brain material also landed on the left rear of the presidential car and on the uniforms and windshields of the two motorcyclists who were riding 6 to 8 feet to the left rear of the President's car. One officer testified that the brain matter hit with such force he at first thought he had been struck.

A piece of skull was found in the street by an observer approximately 25 feet from where the President was shot. It was identified by Dr. A. B. Cairns, chief pathologist at Methodist Hospital as being from the occipetal (rear) region of the skull. A bullet fired from the front could explain this.

3. Doctors at Parkland Hospital described the President's head wounds in a manner consistent with the double shot theory.

In addition to the massive wound to the right temple, the Parkland doctors described a large wound in the occipetal region with brain matter protruding from it. This tends to corroborate the belief that one of the head shots came from the front.

FOOTNOTES

[1] Thompson, *Six Seconds in Dallas*, at 86–95.
[2] *Ibid.*, at 98–101.
[3] *Ibid.*, at 101–111.

ARGUMENT III. OSWALD; SECTION A

III. It is doubtful that Oswald did all the shooting.

A. It is a widely accepted misconception that Lee Harvey Oswald was an expert rifleman, and that the shots from the Depository window were "easy".

In May of 1959, Oswald's last shooting score of 191 points barely qualified him as a "marksman," the lowest rating given by the Marine Corps.

Lt. Col. A. G. Folsom testified before the commission that Oswald's ability as evidenced by his score was that of a "rather poor shot."[1]

Complicating Oswald's rather mediocre shooting skill was the alleged assassination weapon itself, the Italian Mannlicher-Carcano. The Carcano retailed in 1963 for only $12.78; had a scope with an optical defect which sent bullets flying high and off to the right[2]; its sluggish bolt made rapid firing very difficult; and, finally, it had a double-action trigger which would have made accurate shooting difficult.[4]

Some of the Commission's problems in proving Oswald's rifle capability and his weapon's effectiveness might have been allayed had it been determined that Oswald had been practicing with the Mannlicher-Carcano shortly before the assassination. The Commission was unable to do so.[5]

Even given an excellent rifle and a superb marksman, Oswald's alleged feat of shooting is remarkable. He fired three shots from a bolt action rifle in a short span of 4.6–5.6 seconds. He was shooting at a target moving down an incline, from 60 feet up and 180 to 265 feet away. He had only .8 seconds to aim for his first shot and yet he managed to land two accurate hits, the last one, according to the Commission, causing the President's fatal head wound.[6]

The Commission endeavored to determine if Oswald was capable of such a performance. The Commission's rifle tests were so different from the actual conditions Oswald encountered, that their conclusions are open to question. The Commission's riflemen were shooting at stationary targets instead of moving ones; they were firing from 30 feet up instead of Oswald's 60; they took as much time as they wanted for the first shot while the assassin had less than one second to aim for his; and they corrected the defective sight of Oswald's Carcano by mounting the rifle with metal shims. Furthermore, the Commission employed "master" riflemen for the test—experts in firearms, four classes above Oswald's shooting ability.[7]

Even under these more favorable circumstances, the Commission's test only served to prove how difficult Oswald's alleged feat really was. Only one of the three master riflemen (with the stationary targets, corrected sight, reduced distance and added firing time for the first shot) managed to duplicate Oswald's ability.[8]

IV. The autopsy of President Kennedy raises doubts as to the Warren Commission findings.

The autopsy of President Kennedy at Bethesda Naval Hospital was incomplete and vague in its findings.

1. The autopsy team was entirely military and had limited forensic experience at the time. No civilian forensic pathologist was present. The chief surgeon, Dr. Humes, burned his autopsy notes in his recreation room fireplace; he said he didn't consider them important.

2. The positions of the wounds were determined by faulty measuring methods.

3. The wound to the anterior neck was not recognized and dissected because of the tracheotomy that had been performed in Dallas. This wound was only discovered the following day during a conversation with the Dallas physician who attended Kennedy at Parkland.

4. The back wound was not dissected to trace the course of the bullet following the orders of Admiral Holloway, the senior officer present who was not a member of the autopsy team.

5. Coronal sections through the fixed brain were not made, although this is a routine procedure in cases of gunshot wounds to the head in order to track the pathway of a bullet or bullet fragment.

For the above reasons, the autopsy was unable to provide detailed analysis of the wounds to help investigators in locating the assassins' positions.[9]

SUMMARY OF ARGUMENT

We contend that there is more than a reasonable doubt that Lee Harvey Oswald acted alone in the assassination of President John F. Kennedy. We further contend that the magnitude and quality of responsible criticism of the essential findings of the Warren Commission justify a further, formal, and prompt governmental inquiry ipto the assassination.

At a minimum, we contend that a Congressional committee should hold preliminary hearings to gather all evidence which calls into question the findings of the Warren Commission so that a representative body can independently determine if there is sufficient doubt that Oswald acted alone to justify a full scale investigation.

FOOTNOTES

[1] Warren Report: (8 H 304).
[2] Meagher, Sylvia; *Accessories After the Fact*, (New York: The Bobbs Merrill Company, 1967) at 131.
[3] Warren Report at 194.
[4] Meagher at 131.
[5] *Ibid.*, at 108.
[6] Warren Report at 193–4.
[7] Meagher at 108.
[8] *Ibid.*

DECONTROL OF GAS PRICES

HON. FLOYD J. FITHIAN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. FITHIAN. Mr. Speaker, I sincerely believe that this body will, by failing to take final action on the bill before us today, share responsibility for decontrol of oil prices, and the catastrophic consequencies to our economy which are sure to follow. If we recess without passing the bill we will fail the American people when they need us most.

In the past few weeks we have seen all too clearly the consequences of fragmented committee jurisdiction on energy policy. Frequent and lengthy delays on energy legislation have been the price that we, and the American people, have had to pay for inefficient and archaic direction of energy policy in this body. I would hope that our frequently frustrated efforts in the past few weeks will serve as a stimulus to reorganization and reform.

Congress, even with the conflicting committee jurisdiction on energy, has